

Griffith H. Hayes, Esq.
Nevada Bar No. 7374
Martin A. Muckleroy, Esq.
Nevada Bar No. 9634
COOKSEY, TOOLEN, GAGE, DUFFY & WOOG
A Professional Corporation
3930 Howard Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
Telephone: (702) 949-3100
Facsimile: (702) 949-3104

Counsel for Plaintiffs

[Additional Counsel Listed on Signature Page]

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAROL KARCH, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

SINOENERGY CORPORATION, TIANZHOU
DENG, XIANG DONG YANG, BO HUANG,
ROBERT I. ADLER, RENJIE LU, GREG
MARCINKOWSKI, BAOHENG SHI, AND
SKYWIDE CAPITAL MANAGEMENT
LIMITED,

Defendants.

CASE NO.: 2:09-cv-2320-PMP-LRL

AND RELATED CASES

Case No.: 2:09-cv-2321-JCM-PAL

Case No.: 2:09-cv-2322-RCJ-RJJ

Case No.: 2:09-cv-2323-LDG-PAL

PLAINTIFF'S MOTION TO REMAND

Plaintiff Carol Karch, ("Plaintiff") hereby moves for an Order in the above-captioned action: (a) pursuant to the provisions of 28 U.S.C. § 1447, remanding the above-captioned action to the Eighth Judicial District Court for the State of Nevada In and For the County of Clark, from which it was removed on or about December 8, 2009, pursuant to the Defendants' Notice of Removal; and (b) pursuant to 28 U.S.C. § 1447(c), awarding attorneys' fees and expenses attributable to the improper removal and Plaintiff's Motion to Remand. In support of this Motion,

1 the undersigned will rely upon Plaintiff's Opening Brief filed in support of their Motion to
2 Remand.

3 DATED: January 7, 2010

Respectfully submitted,

4 **COOKSEY, TOOLEN, GAGE,**
5 **DUFFY & WOOG**

6 /s/ Martin A. Muckleroy

7 Griffith H. Hayes, Esq.

8 Nevada Bar No. 7374

Martin A. Muckleroy, Esq.

9 Nevada Bar No. 9632

3930 Howard Hughes Parkway, Suite 200

10 Las Vegas, Nevada 89169

Telephone: (702) 949-3100

11 Facsimile: (702) 949-3104

12 *Counsel for Plaintiffs*

13
14 OF COUNSEL:

15 **STULL, STULL & BRODY**

Aaron Brody

16 6 East 45th Street

New York, New York 10017

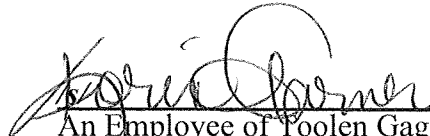
17 Tel.: (212) 687-7230

18 Fax: (212) 490-2022

19 *Counsel for Plaintiffs Carol Karch*
20 *and Robert E. Guzman*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Cooksey Toolen Gage Duffy & Woog and that on the 7th day of January, 2010, a true and correct copy of PLAINTIFFS' MOTION TO REMAND was served on the parties to this case through electronic transmission of the Notice of Electronic Filing, which constitutes service of a document on Filing Users under the Court's Electronic Filing Procedures to all parties to this case who are Filing Users of the Electronic Filing System of the United States District Court for the District of Nevada.


An Employee of Toolen Gage Duffy
& Wbog